

EASTERN DIVISION

Jury Demanded

DEFENDANT’S MOTION TO DISMISS

Defendant, the Board of Trustees of the University of Illinois, by its attorneys and for its Motion to Dismiss pursuant to Federal Rules of Civil Procedure 12(b)(2) and 12(b)(5), states as follows:

1. Plaintiff has filed a complaint against Defendant alleging sexual harassment and retaliation.
2. Plaintiff served the complaint and summons upon Defendant by mailing it via Federal Express.
3. Because Plaintiff's method of service was improper, Plaintiff's complaint should be dismissed pursuant to Federal Rules of Civil Procedure 12(b)(2) and 12(b)(5) for lack of personal jurisdiction and insufficiency of service of process or, in the alternative, service should be quashed as federal and state procedural rules require personal service.

WHEREFORE, Defendant respectfully moves that the Court dismiss the complaint for lack of personal jurisdiction and insufficiency of process, or in the alternative, service of process on the Defendant should be quashed.

Respectfully submitted,

By: s/ Timothy A. Wolfe
One of the Attorneys for Defendant

Joseph E. Tilson
Timothy A. Wolfe
Meckler Bulger Tilson Marick & Pearson, LLP
123 North Wacker Drive, Suite 1800
Chicago, Illinois 60606
Tel.: (312) 474-7900
Fax: (312) 474-7898

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